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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

UNITED STATES OF AMERICA,	)	No. CR-08-00812 CW
	)	
Plaintiff,	)	STIPULATED REQUEST TO VACATE
	)	DETENTION HEARING DATE AND TO
v.	)	EXCLUDE TIME UNDER THE SPEEDY
	)	TRIAL ACT
DAVID DWAYNE GODFREY,	)	
	)	Date: November 21, 2008
Defendant.	)	Time: 10:00 a.m.
	)	Court: Hon. Wayne D. Brazil
	)	

The above-captioned matter is set on November 21, 2008 for a detention hearing before this Court. Defendant hereby waives the timing of his detention hearing, but reserves the right to request a detention hearing in the future. The parties request that the Court set this matter before the Honorable Claudia Wilken on December 3, 2008 at 2:00 p.m. and that the Court exclude time under the Speedy Trial Act between November 20, 2008 and December 3, 2008.

Defendant was arraigned in the above-captioned matter on November 17, 2008. The government will begin producing discovery this week and will continue to produce discovery, including electronic media, in the coming weeks. Defense counsel requires time to review the discovery to be produced by the government, to investigate this matter, and to effectively prepare



1 for the hearing taking into account the exercise of due diligence. The extension is not sought for  
2 delay. The parties agree the ends of justice served by granting the continuance outweigh the best  
3 interests of the public and the defendant in a speedy trial. Therefore, the parties further stipulate  
4 and request that the Court exclude time between the date of this stipulation and December 3,  
5 2008 under the Speedy Trial Act for effective preparation of counsel and pursuant to 18 U.S.C. §  
6 3161(h)(8)(B)(iv).

7  
8 DATED: November 19, 2008  
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11 /s/  
JAMES C. MANN  
Assistant United States Attorney  
12 Counsel for United States

/s/  
LINDA FULLERTON  
Counsel for David Dwayne Godfrey



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8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA  
10 OAKLAND DIVISION

11 UNITED STATES OF AMERICA,	)	No. CR-08-00812 CW
	)	
12 Plaintiff,	)	ORDER GRANTING STIPULATED
	)	REQUEST TO VACATE DETENTION
13 v.	)	HEARING DATE AND TO EXCLUDE
	)	TIME UNDER THE SPEEDY TRIAL ACT
14 DAVID DWAYNE GODFREY,	)	
	)	
15 Defendant.	)	Date: November 21, 2008
	)	Time: 10:00 a.m.
	)	Court: Hon. Wayne D. Brazil
16	)	
17	)	

18  
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20 this Court. Defendant has waived the timing of his detention hearing, but reserved the right to  
21 request a detention hearing in the future. The parties requested that the Court set this matter  
22 before the Honorable Claudia Wilken on December 3, 2008 at 2:00 p.m. and that the Court  
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24 Defendant was arraigned in the above-captioned matter on November 17, 2008. The  
25 government will begin producing discovery this week and will continue to produce discovery,  
26 including electronic media, in the coming weeks. Defense counsel requires time to review the  
27 discovery to be produced by the government, to investigate this matter, and to effectively prepare  
28 for the hearing taking into account the exercise of due diligence. The extension is not sought for



1 delay. The parties agree the ends of justice served by granting the continuance outweigh the best  
2 interests of the public and the defendant in a speedy trial. For these stated reasons, the Court  
3 finds that the ends of justice served by granting the continuance outweigh the best interests of the  
4 public and the defendant in a speedy trial. Good cause appearing therefor, and pursuant to 18  
5 U.S.C. § 3161(h)(8)(B)(iv),

6 **IT IS HEREBY ORDERED** that the hearing in this matter is set before the Honorable  
7 Claudia Wilken on December 3, 2008 at 2:00 p.m., and that time between November 20, 2008  
8 and December 3, 2008 is excluded under the Speedy Trial Act to allow for the effective  
9 preparation of counsel, taking into account the exercise of due diligence.

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11 DATED: November 19, 2008

  
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HON. WAYNE D. BRAZIL  
United States Magistrate Judge